

Please find below and/or attached an Office communication concerning this application or proceeding.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,346	03/06/2001	Vladimir L. Makarov	UMIC:039USCI	7290
7590	11/13/2003	EXAMINER		
David L. Parker		KIM, YOUNG J		
FULBRIGHT & JAWORSKI L.L.P.				
600 Congress Avenue, Suite 2400				
Austin, TX 78701				
1637				
ART UNIT				
PAPER NUMBER				
DATE MAILED: 11/13/2003				

United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

UNITED STATES DEPARTMENT OF COMMERCE
UNITED STATES PATENT AND TRADEMARK OFFICE



THE REPLY FILED 22 OCTOBER 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. THEREFORE, FURTHER ACTION BY THE APPLICANT IS REQUIRED TO AVOID ABANDONMENT OF THIS APPLICATION. A PROPER REPLY TO A FINAL REJECTION UNDER 37 CFR 1.113 MAY ONLY BE ELIMINATED. (1) A TIMELY FILED AMENDMENT WHICH PLACES THE APPLICATION IN CONDITION FOR ALLOWANCE; (2) A TIMELY FILED NOTICE OF APPEAL (WITH APPEAL FEE); OR (3) A TIMELY FILED REQUEST FOR CONTINUATION FOR ALLOWANCE. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. NO EVENT, HOWEVER, WILL THE MAILING DATE OF THIS ADVISORY ACTION, OR (2) THE DATE SET FORTH IN THE FINAL REJECTION, WHICH EVER IS LATER, IN THE PERIOD FOR REPLY EXPIRES ____ MONTHS FROM THE MAILING DATE OF THE FINAL REJECTION. b) THE PERIOD FOR REPLY EXPIRES ____ MONTHS FROM THE MAILING DATE OF THE FINAL REJECTION. (2) THE PERIOD FOR REPLY EXPIRES ON: (1) THE MAILING DATE OF THIS ADVISORY ACTION, OR (2) THE DATE SET FORTH IN THE FINAL REJECTION, WHICH EVER IS LATER. IN THE EVENT, HOWEVER, WILL THE MAILING DATE OF THIS ADVISORY ACTION, OR (2) THE DATE SET FORTH IN THE FINAL REJECTION, WHICH EVER IS LATER, IN THE PERIOD FOR REPLY EXPIRES ____ MONTHS FROM THE MAILING DATE OF THE FINAL REJECTION. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. SEE MPEP 706.07(f).

1. A NOTICE OF APPEAL WAS FILED ON _____. APPELLANT'S BRIEF MUST BE FILED WITHIN THE PERIOD SET FORTH IN 37 CFR 1.192(a), OR ANY EXTENSION THEREOF (37 CFR 1.191(d)), TO AVOID DISMISSAL OF THE APPEAL. EXENSIONS OF TIME MAY BE OBTAINED UNDER 37 CFR 1.136(a). THE DATE ON WHICH THE PETITION UNDER 37 CFR 1.136(a) AND THE APPROPRIATE EXTENSION (2) AS SET FORTH IN (b) ABOVE, IF CHECKED. ANY REPLY RECEIVED BY THE OFFICE LATER THAN THREE MONTHS AFTER THE MAILING DATE OF THE FINAL REJECTION, EVEN IF TIMELY FILED, MAY REDUCE ANY ARMED PETITION TERM ADJUSTMENT. SEE 37 CFR 1.704(b).

2. THE PROPOSED AMENDMENT(S) WILL NOT BE ENTERED BECAUSE: 37 CFR 1.192(a), OR ANY EXTENSION THEREOF (37 CFR 1.191(d)), TO AVOID DISMISSAL OF THE APPEAL.

3. APPLICANT'S REPLY HAS OVERCOME THE FOLLOWING REJECTION(S): (a) THEY RAISE NEW ISSUES THAT WOULD REQUIRE FURTHER CONSIDERATION AND/OR SEARCH (SEE NOTE BELOW); (b) THEY RAISE THE ISSUE OF NEW MATTER (SEE NOTE BELOW); (c) THEY ARE NOT DEEMED TO PLACE THE APPLICATION IN BETTER FORM FOR APPEAL BY MATERIALLY REDUCING OR SIMPLIFYING THE ISSUES FOR APPEAL; AND/OR (d) THEY PRESENT ADDITIONAL CLAIMS WITHOUT CANCELLING A CORRESPONDING NUMBER OF FINALLY REJECTED CLAIMS.

4. NEWLY PROPOSED OR AMENDED CLAIM(S) ____ WOULD BE ALLOWABLE IF SUBMITTED IN A SEPARATE, TIMELY FILED AMENDMENT CANCELLING THE NON-ALLOWABLE CLAIM(S).

5. THE A) AFFIDAVIT, B) EXHIBIT, OR C) REQUEST FOR RECONSIDERATION HAS BEEN CONSIDERED BUT DOES NOT PLACE THE APPLICATION IN CONDITION FOR ALLOWANCE BECAUSE: (a) THE AFFIDAVIT OR EXHIBIT WILL NOT BE CONSIDERED BECAUSE IT IS NOT DIRECTED SOLELY TO ISSUES WHICH WERE NEWLY RAISED BY THE EXAMINER IN THE FINAL REJECTION.

6. FOR PURPOSES OF APPEAL, THE PROPOSED AMENDMENT(S) A) WILL NOT BE ENTERED OR B) WILL BE ENTERED AND AN EXPLANATION OF HOW THE NEW OR AMENDED CLAIMS WOULD BE REJECTED IS PROVIDED BELOW OR APPENDED.

7. THE STATUS OF THE CLAIM(S) IS (OR WILL BE) AS FOLLOWS:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) withdrawn from consideration: _____

8. THE DRAWING CORRECTION FILED ON ____ IS A) APPROVED OR B) DISAPPROVED BY THE EXAMINER.

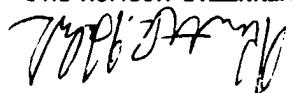
9. NOTE THE ATTACHED INFORMATION DISCLOSURE STATEMENT(S) (PTO-1449) PAPER NO(S) _____.

10. OTHER: _____

--THE MAILING DATE OF THIS COMMUNICATION APPEARS ON THE COVER SHEET WITH THE CORRESPONDENCE ADDRESS--

Application No. 09/801,346	Applicant(s) MAKAROV ET AL.	Examiner Young J. Kim	At Unit 1637
----------------------------	-----------------------------	-----------------------	--------------

11/12/03

PRIMINARY EXAMINER
 KENNETH R. HORJUK, P.H.D.




Continuation of 2. NOTE: The reply filed on October 22, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

All Amendments received by the Office on or after July 30, 2003 must be in compliance with the rules as required by the Revised Amendment Practice, which requires that an amendment document include separate sections for amendments to the claims, drawings, specifications, and abstract, each beginning on a new sheet of paper. (See revised 37 CFR 1.121). Applicants' response filed on October 22, 2003 contains the section, "Response to Arguments" and the arguments on the same page as the claims. This is improper since the claim section requires a separate section of its own. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, the omission is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a)..



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

09801346

EXAMINER

ART UNIT	PAPER
----------	-------

11122003

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents